

December 4, 2006

RECEIVED

Janie L. Kinsey  
420 Co Rd 250  
Headland, AL 36345

2006 DEC -6 A 9:39

CLERK'S OFFICE  
MONTGOMERY  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

US District Court  
Alabama Middle District  
PO Box 711  
Montgomery, AL

Case No: 2:05-cv-636

I, J. Kinsey, come now to show a cause why this case should not be dismissed for lack of subject matter and jurisdiction as further set out in order.

This court has jurisdiction, according to the fifth amendment. I explained to Mr. Gould that I did not want to make a settlement, instead I preferred to allow my case to go to trial. Mr Gould intern tried to force me to accept the settlement offer. I specifically refused his offer several times and at that point Mr. Gould withdrew himself from my case. Mr. Gould has deprived me my freedom to have an attorney represent me and to have a trial with my case that have been stated.

Considering the fact that Mr. Gould is a Alabama State Attorney, my case should be tried in United State District Court, according to the fifth amendment, which says he deprived my liberty. According to the Instructions for completing a civil rights complaint form/paragragh # 2...."Your complaint may be bought in this court only if one or more of the named defendants are located in the geographical are'covered by the United States District Court for the Middle District of Alabama. The Middle District of Alabama contains the following counties: Autauga, Barbour,.....Montgomery." Mr. Gould's firm is located in Montgomery, Alabama. This would be grounds for jurisdiction according to the US District Court complalint form/enclosed you will find a copy. Citifinancial corporate office is located at:

Citifinancial/Corporate Office  
4050 Reginet Blvd  
Irving, Tx75063  
1-800-753-3673

My summons were mailed to the Dothan office because that is where I applied for the loan. This is jurisdiction for diversity,as have a complaint against Lance Gould also, who is located Montgomery, AL; according to 28 U.S.C. 1332; juridiction under diversity of citizenship All complaints must go through the corporatace office. This is jurisdiction for diversity,as have a complaint against Lance Gould also, who is located Montgomery, AL; according to 28 U.S.C. 1332; juridiction under diversity of citizenship.

Sincerely,  
C.H. Kinsey

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Janie L Kinsey  
CH Kinsey

Enclosure  
12/04/06

I C.W. Kindred, also believe that my case should have went to trial according to "due process of law" State v. Green, 232 S. W. 2d 897, 903 (Mo. 1950), Pettit v Penn., La App., 180 So.2d 66, 69"Black's Law Dictionary, 6<sup>th</sup> edition, p500.Vaughn v State, 3 Tenn Crim App. 54, 456 S. W. 2d

My Constitutional Right has been violated under the Fifth and Fourteenth Amendment = Wrongful Act by defendants

Janie L Kinsey and CH Kinsey  
420 Co Rd 250  
Headland, AL 250

**Certification of Service**

I hereby certify on December 4, 2006 clerk of the court and served defendant first class  
United State, mailed postage prepaid to:

Burr and Forman, LLP  
3100 Wachovia Tower  
420 North 20<sup>th</sup> Street  
Birmingham, Alabama 35203

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA

INSTRUCTIONS FOR COMPLETING CIVIL RIGHTS COMPLAINT FORM

READ CAREFULLY

Your complaint must be legibly handwritten or typewritten on this form. If your complaint is handwritten, please use black ink. You must sign and swear to the complaint before a Notary Public or other official authorized to administer oaths, or you must execute a declaration under penalty of perjury that the facts alleged in it are true and correct. Whether you swear to the complaint or declare it, under penalty of perjury, to be correct, any false statement of any material fact may serve as the basis for prosecution and conviction. Therefore, you should exercise care to ensure that all answers are true and correct.

→ Your complaint may be brought in this Court only if one or more of the named defendants are located in the geographical area covered by the United States District Court for the Middle District of Alabama. The Middle District of Alabama contains the following counties: Autauga, Barbour, Bullock, Butler, Chambers, Chilton, Coffee, Coosa, Covington, Crenshaw, Dale, Elmore, Geneva, Henry, Houston, Lee, Lowndes, Macon, Montgomery, Pike, Randolph, Russell, and Tallapoosa.

A plaintiff must file a separate complaint for each claim unless the claims are related to the same incident or issue.

No authorities or citations should be set out in the complaint. If briefs or arguments are submitted, they should be submitted in a separate memorandum for which no form is necessary.

You must include in the complaint all grounds for relief and all facts supporting such grounds for relief. It is permissible to include no more than two (2) additional pages if more space is needed to answer a question. Any documents in support of your claim set out herein should be attached.

The Judicial Conference of the United States has adopted, effective January 1, 1983, the 8-1/2 x11 inch paper size standard for use throughout the federal judiciary and has directed the elimination of the use of legal size (8-1/2 x 14 inches) paper. All pleadings and other papers in cases filed after December 31, 1982, must be on 8-1/2 x 11 inch paper. Otherwise, this office cannot accept them for filing.

In order for this complaint to be filed, it must be accompanied by the filing fee of \$150.00. In addition, you will be required to pay the cost of serving the complaint on each of the defendants.

If you are unable to pay the filing fee and service costs for this action, you may petition the Court for leave to proceed *in forma pauperis*. A blank motion and affidavit for this purpose will be supplied and it should be filed with your complaint. It must be notarized by a Notary Public or other official authorized to administer oaths or must contain your statement that it is true and correct. If more than one plaintiff is named on the complaint, a separate affidavit will be required for each.